

**STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
81 Higuera Street, Suite 200
San Luis Obispo, CA 93401-5411**

**WASTE DISCHARGE REQUIREMENTS ORDER NO. 01-134
NPDES NO. CAG993002**

**GENERAL PERMIT
For**

DISCHARGES OF HIGHLY TREATED GROUNDWATER TO SURFACE WATERS

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds:

On October 18, 1996, the Board adopted Order No. 96-4 (NPDES No. CAG993001) allowing discharges of low threat to water quality. Pursuant to 40 CFR 122.6(d), the expiration date for Order No 96-4 has been continued until 49 days past the effective date of this new Order, which is a renewal and update of Order No. 96-4 for discharges of highly treated groundwater to surface waters.

The September 22, 1989, Memorandum of Agreement between the U.S. Environmental Protection Agency (hereinafter "USEPA") and the State Water Resources Control Board (hereinafter "State Water Board") authorized and established procedures for the State Water Board to issue general National Pollutant Discharge Elimination System (NPDES) permits pursuant to CFR 122.28 and 122.44.

1. **Purpose of Order** - This Region-wide General NPDES Permit for Discharges of Highly Treated Groundwater to Surface Waters (General Permit, or Order) authorizes the discharge of wastes meeting the criteria specified in Finding 2 of this General Permit to waters of the United States by any person, partnership, firm, corporation, association, trust estate, or any other legal entity (hereafter Discharger). Discharges of Highly Treated Groundwater are discharges authorized under this General Permit containing minimal amounts of pollutants and posing no

significant threat to water quality and the environment.

2. **Enrollment Criteria** - To be authorized by this General Permit, discharges must meet the following criteria:
 - a. Pollutant concentrations in the discharge do not (a) cause, (b) have a reasonable potential to cause, and (c) contribute to an excursion above any applicable water quality objectives, including prohibitions of discharge.
 - b. The discharge does not include water added for the purpose of diluting pollutant concentrations.
 - c. Pollutant concentrations in the discharge will not cause or contribute to degradation of water quality or impair beneficial uses of receiving waters.
3. **Examples of Discharges of Highly Treated Groundwater to Surface Waters** - The following are examples of categories of Discharges of Highly Treated Groundwater to inland surface waters, enclosed bays, and estuaries of California that may be authorized by this General Permit, provided discharges meet the criteria specified in Finding 2. This is not a complete list of discharges eligible for consideration of coverage under this General Permit:

- a. Groundwater extracted and treated for the purpose of cleaning up groundwater degraded by leaks of petroleum or other chemicals from underground and aboveground storage tank systems, pipelines, tanker trucks, rail cars, drums, manufacturing facilities, or any other sources of pollution.
- b. Groundwater extracted and treated for the purpose of conducting aquifer pumping tests to evaluate remedial alternatives.
- c. Groundwater extracted and treated for the purpose of conducting dual-phase extraction tests, extraction pilot tests, or other approved groundwater treatment system pilot tests to evaluate remedial alternatives.
- d. Groundwater extracted and treated during excavation for removal and installation of underground storage tanks and during the excavation of contaminated soils.

The US EPA and State Board classify these discharges as minor discharges. These discharges may be treated and discharged on either continuous or batch bases.

- 4. This General Permit meets the requirements of 40 CFR 122.28(a)(2)(ii). The categories of waste discharge permitted under this order:
 - a. Involve similar threats to water quality.
 - b. Discharge similar type of wastes.
 - c. Require similar effluent limitations.
 - d. Require similar monitoring.
 - e. Are more appropriately controlled under a general permit than by individual permits.
- 5. Existing and future discharges of extracted and treated groundwater to surface waters of the Central Coast Region from groundwater cleanup projects:
 - a. Result from similar operations: all involve extraction, treatment and discharge of groundwater.
 - b. Are the same type of waste: all are groundwater treated for the removal of petroleum hydrocarbons or organic compounds present from leaks and spills of hazardous materials.

- c. Require similar effluent limitations for discharge to surface waters in the Central Coast Region.
- d. Require similar minimum frequency of monitoring.
- e. Are more effectively regulated with a general NPDES permit rather than by individual permits.

This General Permit, therefore, establishes requirements for regulation of discharges of extracted and highly treated groundwater resulting from cleanup of petroleum hydrocarbons and other organic compounds at spill sites that can be effectively regulated through a General NPDES Permit.

- 6. **Benefits of a General Permit** – To date, approximately 23 discharges have been authorized to discharge highly treated groundwater to surface waters under the General Permit with Low Threat to Water Quality and approximately 20 highly treated groundwater dischargers are still actively enrolled. Many of these authorized dischargers will wish to continue their coverage under the General Permit. Approximately seven to ten new applications for coverage under the General Permit are received each year. Streamlining the permitting process through renewal of this General Permit will result in the appropriate regulation of many discharges of highly treated groundwater to surface waters in the Central Coast Region.
- 7. Use of this General Permit to regulate the specified discharges is not against the public interest.
- 8. The Board may determine that a waste discharge eligible for authorization by this General Permit is more appropriately regulated under an individual NPDES permit, another general NPDES permit, or waste discharge requirements (WDR). If an individual NPDES permit, another general NPDES permit, or WDR's are issued for a discharge, then the applicability of this General Permit for the discharge is immediately terminated on the effective date of the alternative permit.

RECEIVING WATER BENEFICIAL USES

9. **Surface Waters** - Existing and potential beneficial uses of surface waters in the Central Coast Region may include:

- a. Municipal and domestic supply;
- b. Agricultural supply;
- c. Industrial process and service supply;
- d. Groundwater recharge;
- e. Freshwater replenishment;
- f. Navigation;
- g. Hydropower generation;
- h. Water contact recreation;
- i. Non-contact water recreation;
- j. Commercial and sport fishing;
- k. Aquaculture;
- l. Cold and warm fresh water habitat;
- m. Inland saline water habitat;
- n. Estuarine habitat;
- o. Marine habitat;
- p. Wildlife habitat;
- q. Preservation of biological habitats of special significance;
- r. Rare, threatened or endangered species;
- s. Migration of aquatic organisms;
- t. Spawning, reproduction and/or early development;
- u. Shellfish harvesting; and
- v. Areas of special biological significance.

10. **Groundwater** – Many surface waters within the region recharge underlying groundwater basins. The existing beneficial uses of groundwater within the Central Coast Region include:

- a. Municipal and domestic supply;
- b. Agricultural supply; and
- c. Industrial process and service supply.

SOURCES OF REQUIREMENTS

11. **Basin Plan** - The Water Quality Control Plan, Central Coastal Basin (Basin Plan) was adopted by the Board on September 8, 1994. The Basin Plan incorporates State Board plans and policies by reference and contains a strategy for protecting beneficial uses of surface water and groundwater throughout the Region.

12. Effluent limitations and toxic effluent standards established pursuant to Sections 301, 302, 304, and 307 of the Clean Water Act (CWA) and amendments thereto are applicable to these discharges.

13. Federal regulations require effluent limitations for all pollutants that are or may be discharged at a concentration causing or having reasonable potential to cause, or contribute to, in-stream excursions above narrative or numerical water quality standards. Based on information submitted as part of the application (Notice of Intent), the Board finds that the discharge does not have a reasonable potential to cause or contribute to an in-stream excursion above a water quality objective.

14. **California Toxics Rule** – The U.S. EPA promulgated the California Toxics Rule (CTR) in May 2000. The CTR, which is codified in 40 CFR section 131.38, establishes numeric criteria for priority toxic pollutants for California's inland surface waters, enclosed bays, and estuaries. Concurrently with CTR adoption, the State Board adopted a policy for Implementation of Toxic Standards for Inland Surface Waters, Enclosed Bays, and Estuaries. (Policy).

The Policy establishes procedures for selecting priority pollutants requiring water quality-based effluent limitations and for calculating the limits. The Policy allows the Regional Board to exempt low volume discharges, determined to cause no significant impact on water quality, from the requirement to monitor for priority toxic pollutants. The Policy also authorizes exceptions from Policy provisions for certain categories of discharges, such as those resulting from resource management (i.e. fishery management, etc.), and fulfillment of the federal Safe Drinking Water Act or the California Health and Safety Code (i.e. draining water supply reservoirs, pipelines, and treatment facilities for cleaning and maintenance, etc.).

Waste discharges enrolled under this General Permit are determined to have no significant impact on water quality and/or meet the conditions for categorical exceptions from the

Policy provisions on selection of pollutants requiring water quality-based effluent limitations and calculation of numeric limits. Although the General Permit does not contain numeric effluent limitations for toxic pollutants, granting the exceptions will not compromise the protection of surface water beneficial uses. No discharger can obtain coverage under the General Permit if pollutants in the discharge have the reasonable potential to cause or contribute to a water quality standards violation.

REGULATORY CONSIDERATIONS

15. **Total Maximum Daily Loads (TMDL)** – The Regional Board is currently developing and implementing TMDL's for many impaired water bodies in the Central Coast Region. Enrollees under this General Permit that discharge to these impaired water bodies may be required to collect discharge monitoring data applicable to developing appropriate future wasteload allocations for the discharge.
 16. **California Environmental Quality Act** - The action to adopt this General Permit is exempt from the provisions of Chapter 3 of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21100, et seq.), in accordance with Section 13389 of the California Water Code.
 17. **The Clean Water Enforcement and Pollution Prevention Act of 1999** - The Clean Water Enforcement and Pollution Prevention Act of 1999 (Senate Bill 709, also referred to as the "Migden Bill") became effective January 1, 2000. This act may have an effect on enrollees under this NPDES permit because it requires the Regional Board to impose mandatory penalties for certain violations.
 18. **Anti-Backsliding** – 40 CFR Section 122.44(l) requires effluent limitations for reissued NPDES permits be at least as stringent as the previous permit, unless certain grounds for "backsliding" apply. All changes to the effluent limitations in the proposed Order were made in accordance with Anti-Backsliding provisions.
 19. **Anti-Degradation** – The Regional Board has considered antidegradation pursuant to 40 CFR Section 131.12 and State Board Resolution No. 68-16, and finds that these discharges of highly treated groundwater to surface water are consistent with those provisions.
- ## GENERAL FINDINGS
20. **Monitoring and Reporting** – Monitoring and Reporting Program (MRP) No. 01-135 is part of this Order. The MRP requires routine effluent and receiving water monitoring to verify compliance with this Order and protection of water quality.
 21. **Annual Fee** - The Threat to Water Quality and Complexity rating for this General Permit is III-c. The annual fee associated with this rating is currently \$400. This fee is subject to change.
 22. A permit and the privilege to discharge waste into waters of the State is conditional upon the discharge complying with provisions of Division 7 of the California Water Code and of the Clean Water Act (as amended or as supplemented by implementing guidelines and regulations) and with any more stringent effluent limitations necessary to implement water quality control plans, protect beneficial uses, and prevent nuisance. This Order shall serve as a National Pollutant Discharge Elimination System Permit pursuant to Section 402 of the Clean Water Act. Compliance with this Order should assure the aforementioned conditions are met and mitigate any potential changes in water quality due to the discharge.
 23. **Public Notice** - On September 10, 2001, the Board notified the public and interested agencies of its intent to issue general waste discharge requirements for low threat discharges, provided them with an opportunity to submit their written views and recommendations, and scheduled a public hearing.
 24. **Public Hearing** - In a public hearing on December 7, 2001, the Board heard and considered all comments pertaining to the General Permit and found this Order consistent with the above findings.

IT IS HEREBY ORDERED, pursuant to authority in Section 13263 and 13377 of the California Water Code, that all Dischargers shall comply with the following:

All technical and monitoring reports submitted pursuant to this Order are required pursuant to Sections 13267 and 13383 of the California Water Code. Failure to submit reports in accordance with schedules established by this Order, attachments to this Order, or failure to submit a report of sufficient technical quality to be acceptable to the Executive Officer, may subject the Discharger to enforcement action pursuant to Sections 13268 and 13385 of the California Water Code. The Regional Board will base all enforcement actions on the date of Order adoption.

Throughout these requirements, footnotes are listed to indicate the source of requirements specified. Requirement footnotes are as follows:

A = Basin Plan

B = 40 CFR 122

Requirements not referenced are based on staff's professional judgment.

A. APPLICATION REQUIREMENTS

1. Dischargers satisfying criteria stated in Finding No. 2 of this order, and the following criteria, are eligible for authorization to discharge by this General Permit, provided:

- a. The Discharger submits a complete Notice Of Intent (NOI) (Attachment A) and an appropriate first annual fee for each discharge.
- b. The Discharger submits the following:
 - (1) Certified analytical results of treatment-system influent (or groundwater) samples analyzed for total petroleum hydrocarbons as gasoline, total petroleum hydrocarbons as diesel, benzene, toluene, ethylbenzene, xylenes, methyl tertiary-butyl ether, methanol, tertiary butyl alcohol, or tetrachloroethene, trichloroethene, 1,2-dichloroethene,

dichloroethane and vinyl chloride (as applicable to the specific groundwater pollutants), and any other organic pollutant known or suspected to be present. The influent shall be analyzed using test procedures approved under 40 CFR, Part 136.

- (2) Certified analytical results of a representative sample of the influent for the following: **Aluminum, Arsenic, Cadmium, Chromium, Copper, Nickel, Lead, Mercury, Selenium, Zinc, pH, Nitrate, and Total Dissolved Solids.**
- c. If the Discharger discharges wastewater to or from property not owned, leased or rented by the Discharger, then a letter, signed by the property owner, authorizing the discharge of wastewater to or from the property is kept with the General Permit (See Provision F2), where it will be available to operating personnel. If the discharge is to a storm-water-conveyance system, then notification must be sent to, and permission must be granted by, the owner of the storm-water-conveyance system prior to discharge.
- d. The Discharger submits a site map showing extraction wells, monitoring wells, and the storm drain, or surface water discharge location, receiving water and a treatment system diagram/schematic showing system configuration and associated piping, flow path, and sampling locations. The Discharger, upon request, submits any additional information the Board determines is necessary to ascertain whether the discharge meets the criteria for authorization under this permit.
- e. For continuous discharges, the following maximum allowable flowrates apply:

Type of Continuous Discharge	Max Daily Flow (MGD)
Treated Groundwater	0.20
Other Low Threat	0.20

- f. For intermittent or one-time discharges, the following maximum allowable flowrates and duration apply:

Type of Intermittent	Max Daily	Duration
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/One-Time Discharge	Flow (MGD)	
(Treated) Aquifer Pumping-Test Water	0.20	1 Month
(Treated) Dual-Phase Extraction, or Other Extraction Pilot Test Water	0.20	1 Month
(Treated) Underground Storage Tank or Contaminated Soil Excavation Water	0.25	1 Month

2. After submittal of an NOI and first annual fee, the Discharger will receive one of the following:
 - a. Written authorization and effective date of permit coverage;
 - b. A request to submit an application and consideration for coverage under another general or individual permit; or
 - c. Written notification of exclusion (NOE) of enrollment under this General Permit.

In no case may the discharge occur until the applicant receives written confirmation of status.

Authorization to discharge under this general NPDES permit shall be terminated upon receipt of an Notice of Termination (NOT) (Attachment B) or adoption of an individual permit or coverage by a different general NPDES permit.

B. DISCHARGE PROHIBITIONS

1. The discharge of any waste at a location or in a manner different from that described in the approved NOI or regulated by this General Permit is prohibited.
2. Discharge of waste creating conditions of pollution or nuisance as defined in Sections 13050(l) and 13050(m) of Division 7 of the California Water Code is prohibited.
3. Discharge containing concentrations of pollutants in excess of applicable water quality objectives is prohibited.
4. Discharge containing any substances in concentrations toxic to human, animal, plant, or aquatic life is prohibited.^A

5. Discharge that does not meet water quality objectives and the requirements established in Monitoring and Reporting Program 01-135 is prohibited.
6. Discharge to the ocean is prohibited.

C. EFFLUENT LIMITATIONS

1. Effluent shall not contain measurable chlorine residual (greater than or equal to 0.02 mg/L).
2. Effluent shall be essentially free of substances that:^A
 - a. Float or become floatable upon discharge.
 - b. May form sediments which degrade aquatic life.
 - c. Accumulate to toxic levels in surface waters, sediments, or biota.
 - d. Significantly decrease the natural light to aquatic life.
 - e. Result in aesthetically undesirable discoloration of the water surface.

D. RECEIVING WATER LIMITATIONS

The following narrative water quality objectives apply to all surface waters, including wetlands, in the Central Coast Region. (Receiving water quality is a result of many factors, some unrelated to the discharge. This permit considers these factors, and is designed to minimize the influence of the discharge in the receiving water.)

The discharge shall not cause:

1. The following limits to be exceeded in the receiving water:^A

Constituent	Maximum or Range
pH	Between 7.0 and 8.3 at all times, and not changed more than 0.5 units. ^A

Temperature	Maximum increase of 5°F above natural receiving water temperature. ^A
Color	Maximum increase of 15 units, or 10% above natural background color, whichever is greater. ^A

2. **Turbidity to exceed the following:**

Where natural turbidity ¹ is...	The turbidity shall not be increased more than...
less than 25 Nephelometric Turbidity Units (NTUs)	5 NTUs
between 25 and 50 NTUs	20%
between 50 and 100 NTUs	10 NTU's
greater than 100 NTU's	10%

3. **Dissolved Oxygen** - Dissolved oxygen concentrations to be depressed below 7.0 mg/l or median values to fall below 85% of saturation.^A
4. **Biostimulatory Substances** - Biostimulatory substances in concentrations that promote aquatic growths causing nuisance or adversely affecting beneficial uses.^A
5. **Taste and Order** - Taste or odor-producing substances in concentrations imparting undesirable tastes or odors to fish flesh or other edible products of aquatic origin, causing nuisance, or adversely affecting beneficial uses.^A
6. **Oil and Grease** - Oils, greases, waxes, or other similar materials in concentrations resulting in a visible film or floating on the surface of the water or on objects in the water, causing nuisance, or otherwise adversely affecting beneficial uses.^A

¹ "Natural Turbidity" shall be determined from receiving water samples taken upstream/upcurrent of the discharge point at a location free from controllable sources of pollution.

7. **Settleable Materials** - Settleable material in concentrations resulting in the deposition of material causing nuisance or adversely affecting beneficial uses.
8. **Floating Materials** - Floating material, including solids, liquids, foams, and scum, in concentrations causing nuisance or adversely affecting beneficial uses.^A
9. **Suspended Materials** - Suspended material in concentrations causing nuisance or adversely affecting beneficial uses.^A
10. **Toxicity** - Substances in concentrations toxic to human, plant, animal, or aquatic life, or produce detrimental physiological responses therein.^A
11. **Radioactivity** - Radionuclides in concentrations deleterious to human, plant, animal or aquatic life; or that result in the accumulation of radionuclides in the food web to an extent presenting a hazard to human, plant, animal or aquatic life.^A
12. **An Excursion Above Any Water Quality Standard** - Also, the discharge shall not (a) cause, (b) have a reasonable potential to cause, or (c) contribute to an excursion above any applicable criterion or water quality objective for the receiving waters adopted by the Board or the State Board or promulgated by US EPA pursuant to Section 303 of the CWA.

E. GROUNDWATER LIMITATIONS

1. The discharge shall not cause constituent concentrations in the groundwater downgradient of the disposal area to exceed water quality objectives specified in the Basin Plan.^A
2. The discharge shall not cause concentrations of chemicals and radionuclides in groundwater to exceed primary and secondary drinking water limits set forth in Title 22 of the California Code of Regulations.^A

F. SOLID WASTE DISPOSAL

1. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner consistent with Chapter 15, Division 3, Title 23, of the California Code of Regulations. Collected screenings, sludges, and other solids removed from liquid wastes shall be disposed in a manner consistent with Chapter 15, Division 3, Title 23, of the California Code of Regulations (CCR) and approved by the Executive Officer.

G. STANDARD PROVISIONS AND REPORTING REQUIREMENTS

1. The Discharger shall comply with Monitoring and Reporting Program No. 01-135, included as Attachment C of this General Permit, and any revision prescribed thereto by the Executive Officer.
2. A copy of this General Permit shall be kept at the discharge facility for reference by operating personnel. Key operating and site management personnel shall be familiar with the contents of this order.
3. The Discharger shall develop a discharge management plan incorporating contingency measures should sampling results show violation of water quality standards. In no case shall the discharge continue to impair beneficial uses or violate water quality standards.
4. In the event the Discharger wishes to terminate authorization under this General Permit, the Discharger shall submit a completed Notice of Termination (NOT), included with this General Permit as Attachment B. Termination from coverage will occur on the date specified in the NOT, unless the Regional Board notifies the Discharger otherwise. All discharges shall cease before the date of termination, and any discharges to surface waters on or after this date shall be considered in violation of the CWA unless covered by another NPDES permit.
5. In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the Discharger, the Discharger shall notify the succeeding owner or operator of the existence

of this General Permit by letter, a copy of which shall be immediately forwarded to the Board along with a completed NOT.

6. The Discharger shall take all reasonable steps to prevent any discharge in violation of this permit.^B
7. The Discharger shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) to achieve compliance with this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of this permit.^B
8. The Discharger shall furnish the Board, within a reasonable time, any information that the Board may request to determine compliance with this General Permit.
9. The Discharger shall allow the Board or its authorized representatives to:^B
 - a. Enter upon the Discharger's premises where a regulated facility or activity is located or conducted, or where records pertinent to this permit are kept;
 - b. Inspect and photograph any facilities, equipment (including monitoring and control equipment), practices, or operations pertinent to this permit;
 - c. Have access to and copy any records pertinent to this permit; and
 - d. Sample or monitor for the purposes of ensuring permit compliance.
10. This permit is not transferable to any person except after notice to the Board. Transferability will be at the discretion of the Board. The Board may require reissuance or modification of the permit conditions to change the name of the Discharger and incorporate such other requirements as may be necessary to protect water quality.
11. Monitoring results must be based on analyses conducted according to test procedures under 40 CFR Part 136, approved under 40 CFR

Part 136, or authorized by the Executive Officer.

12. All reports, NOI and other documents required by this permit and other information requested by the Board shall be signed by a person described below or by a duly authorized representative of that person.^B

- a. For a corporation: by a responsible corporate officer such as: (a) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function; (b) any other person who performs similar policy or decision-making functions for the corporation; or (c) the manager of one or more manufacturing, production, or operating facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. For a partnership or sole proprietorship: by a general partner or the proprietor.
- c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

13. Any person signing a document under Provision 13 shall make the following certification, whether written or implied:^B

"I certify under penalty of law this document and all attachments were prepared under my direction or supervision in accordance with a system designed to ensure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

14. If the Discharger monitors any constituent more frequently than required by the permit, the monitoring results shall be submitted.^B
15. The Discharger shall immediately report any non-compliance potentially endangering public

health or the environment to the Board. Any information shall be provided orally within 24 hours from the time the Discharger becomes aware of the circumstances. A written report also shall be submitted to the Executive Officer within five days of the time the Discharger becomes aware of the circumstances. The written report shall contain (1) a description of the non-compliance and its cause; (2) the period of non-compliance, including dates and times, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and (3) steps taken or planned to reduce, eliminate, and prevent reoccurrence of the non-compliance.^B

16. The Discharger shall report all instances of non-compliance not reported under Provision No. 15 at the time monitoring reports are submitted. The reports shall contain the information listed in Provision No. 15.^B

17. The Discharger shall give notice to the Board as soon as possible of any planned alterations to the permitted facility that may change the nature or concentration of pollutants in the discharge.^B

18. Violations of this General Permit may result in enforcement actions pursued under the following authorities.

- a. The Clean Water Act provides that any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a civil penalty not to exceed \$25,000 per day of violation. Any person who negligently violates permit conditions implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the Clean Water Act is subject to a fine of not less than \$2,500 nor more than \$25,000 per day for each violation, to imprisonment of not more than 1 year, or to both penalties. Greater penalties may be imposed for knowing violations and for repeat offenders. The Porter-Cologne Water Quality Control Act provides for civil and criminal penalties comparable to, and in some cases greater than, those provided under the Clean Water Act.^B

- b. The Clean Water Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit including monitoring reports or reports of compliance or non-compliance shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, by imprisonment for not more than six (6) months per violation, or by both.^B Section 13387 of the California Water Code allows for fines up to \$25,000 per violation and imprisonment for up to two years after such violations.
 - c. The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000, by imprisonment for not more than 2 years, or by both. Greater penalties may be imposed for repeat offenders.^B
19. This General Permit expires on **December 7, 2006**. Enrollees who are covered under this General Permit at the time of expiration will automatically be reenrolled under the revised General Permit, unless an NOT is submitted to terminate coverage.

I, Roger W. Briggs, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on December 7, 2001.

Roger W. Briggs, Executive Officer